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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,142	11/12/1999	WILLIAM R. MURRAY JR.	94111-3834	3912

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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/441,142

Applicant(s)

MURRAY ET AL.

Examiner

Lloyd A. Gall

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 96-98, 100, 106, 107 and 109 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 96-98, 100, 106, 107 and 109 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

In response to the amendment filed on December 3, 2004, the following is a non-Final rejection which uses additional prior art references. It is regretted that these rejections were not earlier made.

Applicant should note that formal drawings are required before the application can be allowed.

The terminal disclaimers filed on December 3, 2004 are approved, and have been recorded.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 96-98 and 107 are rejected under 35 U.S.C. 102(b) as being anticipated by Singer et al (826).

As seen in fig. 2, Singer teaches a portable electronic device including a wall 28 having a slot 30 (column 3, line 26); a housing 62 having a security cable 64, a slot engagement member 46 rotatable relative to an inhibiting member 42. The inhibiting member prevents removal of the slot engagement member from the slot, and is retractable relative to the slot engagement member as seen in its figure 2 position.

Claims 96-98 and 107 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson (232).

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Wilson teaches a security device for a portable computer, including a wall having a slot to receive a slot engagement member 20, a housing 16, a cable 12 and a retractable inhibiting member 26 which inhibits removal of the slot engagement member 20 and is retractable relative to the slot engagement member when the cable 12 is removed.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 96-98, 100, and 107 are rejected under 35 U.S.C. 103(a) as being unpatentable over the UK reference (856) in view of Singer et al (826).

The UK reference teaches a portable electronic device including a slot to receive a slot engagement member 48 and an inhibiting member 26 which is retractable relative to the slot engagement member. The device includes a housing 12, 14. Singer teaches a cable 64 attached to a security device housing 62 as seen in fig. 2. It would have been obvious to utilize a cable with the security device of the UK reference (856), in view of the teaching of Singer et al, to prevent unauthorized theft removal of a portable device. With respect to claims 106 and 109, it would have been obvious to utilize the claimed slot dimensions, since it has been held that discovering an optimum value result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Claims 96, 98, 100 and 107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derman (106) in view of Singer et al (826).

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Derman teaches a security device for a portable electronic device, including a slot engagement member 24 attached to a housing 25, and a retractable inhibiting member 28 which is capable of being retracted along the screw 30. Singer teaches a cable 64 attached to a housing 62. It would have been obvious to provide a cable with the housing of Derman, in view of the teaching of Singer et al, to prevent theft removal of a portable device.

Claims 106 and 109 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (232).

It would have been obvious to utilize the claimed slot dimensions, since it has been held that discovering an optimum value result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828 and after April 2005 at 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 703-308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
February 21, 2005


Lloyd A. Gall
Primary Examiner